

**Minutes of the
Committee of Practitioners Meeting
MacKay Building, Pierre SD
November 21, 2016**

Call to Order

The meeting of the ESEA Committee of Practitioners (COP) was called to order by Becky Guffin at 9:30 a.m. at the MacKay Building, Pierre, SD on November 21, 2016.

Attendance

Guffin asked that each person introduce herself. Members present were: Becky Guffin, Kari Behm, Joan Pribyl, Chrissy Peterson, Becky Eeten, Kate Mellor, Laura Willemssen, and Lori Bouza.

Staff persons in attendance for all or part of the meeting were: Shannon Malone, Ann Larson, Mary Stadick Smith, Laura Scheibe, Abby Javurek-Humig, Sara Kock, Linda Turner, Kathy Riedy, Sue Burgard, Jill Cotton, Jordan Dueis, Betsy Chapman, Yutzil Becker, Carol Bush, Dawn Smith, and Laura Johnson Frame.

Approval of the Agenda

Motion by Peterson, second by Pribyl to approve the agenda as printed. Motion passed and the agenda was approved.

Approval of the Minutes of December 15, 2015, and the June 1, 2016 Meetings

Motion by Peterson, second by Pribyl to approve the minutes of the two meetings listed above. The motion passed.

Public Comment

No member of the public attended the meeting and no comments were received.

New Members

The committee was informed that Kari Behm was appointed to the committee in April 2016. Ms. Behm is a parent from Pierre and attended the conference call meeting in June and was present at the November meeting.

In September, Stacy Nemec from the SD Department of Social Services was appointed to the committee as a representative of children in foster care and was unable to attend the November meeting.

Re-appointment of Members

In September, several members were re-appointed to the committee for three-year terms: Chrissy Peterson, Becky Eeten, Joan Dunmire, Becky Guffin, and Joan Pribyl.

Committee Member Recruitment

The members of the committee reviewed the roster of members. Members were asked to consider a few new positions created by the 2015 Every Student Succeeds Act as it is implemented in July 2017. The committee will need to recruit more parents, teachers, and a paraprofessional to the committee.

State Implementation of the Reauthorization of ESEA – Every Student Succeeds Act of 2015

Shannon Malone reviewed the process the SD Department of Education is using to gather stakeholder input and public input into the development of a ESSA State Plan. The department created four work groups to meet for several months from the spring to the fall of 2016 to make recommendations for the new state plan. The ESSA workgroups are the School Improvement, the Educator Effectiveness, the English Language Learner, and the Accountability work groups. The Educator Effectiveness workgroup continues to meet to develop and refine the state's process to determine the effectiveness of teachers and administrators though this is no longer a component of the federal law. Nearly all COP members served on work groups.

The SD Department of Education will create a state plan that will be sent to the Governor's Office for his signature. Originally, it was hoped to meet the first US Education date of March, now a more realistic date appears to be the July option. The plan will be sent to US Education by the July date where it will be peer reviewed and approved or changes will be requested.

Review of Work Group Recommendations

Shannon Malone and other members of the staff reviewed each work group recommendation with the COP committee members.

Accountability – Overall System

ESSA Federal Requirements

- All schools must be accountable for the same performance indicators.
- The system must be differentiated among schools.
- The system must identify schools for “improvement” and state support as follows:
 - Lowest performing 5% of schools
 - High schools failing to graduate 1/3 of students
 - Schools with consistently underperforming subgroups

Current State Requirements

- Schools earn points based on 100-point School Performance Index (SPI)
- Assign schools to categories of performance based on SPI score:
 - Exemplary (top 5% of scores)
 - Status
 - Progressing
 - Focus
 - Priority (lowest 5% of scores)

Questions for the State to Consider

- Should SD continue to compare schools to each other, or shift to a system that compares schools to a benchmark (e.g., A to F grades)?
- What should SD do with its performance categories? Should we continue to label *all* schools or just those required by ESSA?

Work Group Recommendations

- ✓ **Retain the system as is – schools compared to each other**
- ✓ **Only label those required by ESSA (i.e., Focus and Priority schools).**
- ✓ **Re-look at some of the key decisions after two years of implementation to ensure the assumptions made now still hold.**

Committee of Practitioners Comments

How will a school ever get out of the bottom 5%? Answer – Under ESSA as with NCLB, there will always be a 5% of schools that are the lowest performing and therefore need the most interventions.

The lowest 5% must always come from the Title I school even if there are lower performing non-Title I schools? Answer – yes this is correct.

As the bulk of the schools are progressing, do we have a good definition of progressing? Answer – Any movement to better achievement is considered progressing whether or not that movement keeps pace with other districts.

Accountability – Indicators of Performance

ESSA Federal Requirements

- Academic indicators must include:
 - Student Achievement
 - Academic growth (elementary and middle schools only)
 - Four-year graduation rate (high schools only)
 - Progress of English language learners in achieving language proficiency (New required indicator under ESSA)
- Must use at least one indicator of student success or school quality: (non-academic)
- Academic indicators must be given “much greater weight” than additional indicator(s)

Current State Requirements

School Performance Index (SPI) measures the following:

- Elementary & Middle School
 - Student achievement
 - Academic growth
 - Attendance
- High School
 - Student achievement
 - High School completion, which includes: four-year graduation rate AND completion beyond four years and GED
 - College and career readiness, which includes; Smarter Balanced score or ACT score or Accuplacer score AND National Career Readiness Certificate

Questions for the State to Consider

- What are appropriate indicators of a school’s academic performance at the elementary and middle school levels?
- What should SD use for its non-academic indicator(s) of “student success or school quality” at the elementary and middle school level?
- What are appropriate indicators of a school’s academic performance at the high school level?
- Should SD expand its current college and career readiness indicator with additional options? What might those options be?
- How does SD determine what progress looks like for English learners?

Work Group Recommendations

- **Elementary & Middle School indicators of Performance**
 - **Academic:**
 - **Student achievement**
 - **Academic growth**
 - **Progress of English language learners in achieving language proficiency**
 - **Non-Academic:**

- **To Be Decided – possibly retain attendance while piloting a “Safe and Healthy Schools” indicator based on data already collected**
- **High School:**
 - **Academic:**
 - **Student achievement**
 - **High school completion, which includes: four-year graduation rate AND completion beyond four years and GED**
 - **Progress of English language learners in achieving language proficiency**
 - **Non-Academic:**
 - **Keep current college and career readiness indicators: add additional routes (e.g., Advanced Placement & Career and Technical Ed measures)**
 - **The work group had much discussion (e.g., testing, time in EL program, previous formal education matched with language acquisition; no concrete proposals**

Committee of Practitioners Comments

Attendance is a difficult indicator as not all school districts calculate attendance the same way – attendance by period vs. half-day, full day.

Is safe school data a viable indicator? The data must be differentiated so some schools will be safe and some will be unsafe. Do we really want to label a school as unsafe? What about a small school that may only have one incident, is that an unsafe school?

Are the ACT scores the best indicator as many students do not take the test?

Accountability – Goals

ESSA Federal Requirements

- Each state must establish “ambitious, state-designed, long-term goals”
- The goals must be applied in the same manner for all schools.

Current State requirements

- Reduce by half the percentage of students scoring below proficient on state test in six years (applies to state, district, school and subgroups)

Questions for the State to Consider

- Is the current goal appropriate? If not, what should goals look like at all levels?

Work Group Recommendations

- **Reduce by 25% in six years the percent of students scoring below the benchmarks (below proficient on the state assessment, failing to graduate in four years). Applies to state, district, school and subgroups.**

Committee of Practitioners Comments

Questions were asked to clarify what is meant by reducing by 25% in six years.

Assessment – Administration

ESSA Federal Requirements

- Annually assess all students:
 - In English & math; grades 3-8 and once in high school
 - In science; once in elementary, once in middle and once in high school
- Assessments must be fully aligned to state standards
- Alternative assessment for students with most severe cognitive disabilities (1 percent)

Current State requirements

- Follow federal law; currently administer test at 11th grade in high school

Questions for the State to Consider

- Should SD consider using a national college admissions test in place of the current state test at grade 11? The SD Board of Regents' institutions currently use state test data from 11th grade as part of the college admission/placement process.
- Should SD consider testing high school students at grade 10 instead of grade 11 or some other point in high school?

Work Group Recommendation

- **Retain current state assessment and continue to test at grade 11.**

Committee of Practitioners Comments

The committee discussed how the SD Board of Regents used state assessment scores. The BOR does not use the scores for college entrance. If a student provides the scores, the scores are given equal weight as the ACT scores.

Assessment – Participation

ESSA Federal Requirements

- 95 percent of students must participate in the state assessments (applies to schools, districts & subgroups)
- Those that don't participate must be considered as scoring non-proficient on state assessments

Current State requirements

- Follow federal law

Questions for the State to Consider

- Besides the ESSA requirements for participation, how should SD incorporate this requirement into its accountability system/SPI?

Work Group Recommendation

- **Students that did not participate count for zero points in student achievement (versus those that took the assessment but scored at the lowest level would count for 0.25 points)**

Committee of Practitioners Comments

The committee discussed students who are opted-out of testing by their parents counting against the district's participation rate. If a school has too many students not completing the test, then the school drops below 95% participation. If the school drops below 95% participation, they currently get a 0 for student achievement points even though all other students had a score. Under the new recommendation, after the first 5% of non-test taker/completer students, those students who take the test and attempt all sections would be assigned a score.

Assessment – Standards

ESSA Federal Requirements

- State academic standards must align with entrance requirements for credit-bearing coursework at state's public universities

Current State Requirements

- Requires revision of academic and career and technical education (CTE) standards on a periodic basis, as approved by the Board of Education

Questions for the State to Consider

- SD's standards in English language arts and math align with state university entrance requirements. These standards are currently undergoing revision, as are certain CTE standards. Got to <http://doe.sd.gov/ContentStandards/review.aspx> for more information about proposed content standards.

Work Group Recommendation

- **No Recommendation**

Committee of Practitioners Comments

No Discussion at this time.

School Improvement – Comprehensive support schools

ESSA Federal Requirements

- States required to support schools identified for “comprehensive support” (lowest-performing 5%)
- Prescriptive models for school turnaround eliminated under ESSA

Current State Requirements

- Follow SD’s ESEA waiver; lowest category of performance called “Priority Schools”.

Questions for the State to Consider

- How should the state approach its work with schools identified for improvement? What does “support” look like?
- What strategies are effective in improving outcomes (academic and non-academic) for kids?
- What should happen when these schools fail to make progress?

Work Group Recommendation

- **Four-year process; largely guided by the state**
- **MOU among district, school board, and school’s administrative team outlining commitments and growth goals**
- **Schools exiting improvement process would develop three-year sustainability plan**
- **Schools not exiting improvement after three years would undergo either a peer review or an external comprehensive needs assessment to inform improvement efforts**

Committee of Practitioners Comments

The committee was informed that the School Improvement Work Group had recommended retaining the IndiStar system for schools just entering school improvement.

School Improvement – Targeted support schools

ESSA Federal Requirements

- States and districts required to support schools identified for “targeted support” (based on underperforming subgroups)

Current State Requirements

- Follow SD’s ESEA waiver; similar category of performance called “Focus Schools”

Questions for the State to Consider

- How should SD identify underperforming subgroups?

Work Group Recommendations

- **Designations fall into two categories:**
 - **Any Title I school with a subgroup performing no better on any indicator than the best performance by a Priority school.**
 - **Any Title I school with a subgroup performing at a level 75% below the performance of that school’s Gap group (consisting of historically underperforming subgroups of students for two consecutive years)**
- **Two year process, with possibility to extend into three and four years if needed; guided by the state and the district**
- **Same MOU requirements as described above**

- **Schools not exiting after four years would become Priority schools**

Committee of Practitioners Comments

The committee was informed that each subgroup receives its own SPI. The department estimates that within a short time about one-half or 300 of the schools in South Dakota will fall into improvement status. The statute requires schools in improvement to receive \$50,000 to \$500,000 a year to address improvement efforts or approximately \$30,000,000 for South Dakota. This would absorb nearly all of the Title I funding to the state. Each school's school support team member would be responsible to assist the school with little state support. The committee discussed that solely giving schools money would not solve the academic issues.

School Improvement – 21st Century Schools/Student Support (Title IV)

ESSA Federal Requirements

- Provides limited funds for activities to support:
 - Well-rounded educational opportunities
 - Safe and healthy students
 - Effective use of technology

Current State Requirements

- This title is new and represents a pooling of several federal grant programs into a single block grant.

Questions for the State to Consider

- What constitutes a well-rounded education? What are schools and state doing in this area? What could we be doing better?
- What does a safe and healthy school environment look like? What are schools and state doing in this area? What could we be doing better?
- How are schools and state using technology to improve educational experience? What could we be doing better?

Work Group Recommendations

- **None at this time**

Committee of Practitioners Comments

The committee discussed what constitutes a well-rounded education. Also, a brief conversation followed on districts adding new services or expanding existing services and the line between supplementing and supplanting.

Reporting/Report Cards

ESSA Federal Requirements

- Numerous new data points required to be reported annually (applies to state, districts & schools). Examples:
 - Performance of students in foster care; students of active duty military
 - In-school suspensions; out-of-school suspensions; incidents of violence
 - List of state and district-required assessments; description of each; time spent on each
- Report cards must be "concise," "presented in an understandable and uniform format," and "widely accessible"

Current State Requirements

- Follow SD's ESEA waiver

Questions for the State to Consider

- What data is most important to show on report cards?
- What data do parents/the public care about most? How should the data be prioritized?

- What formats are the best for making data widely accessible?

Work Group Recommendations

- **None at this time**

Committee of Practitioners Comments

The committee had a short conversation on how to create a readable, understandable report with so much added information. How to develop a report card that can be understood by parents fluent in many languages, not English, and other parents who may have disabilities including blindness?

Chronic Absenteeism

Sara Kock, longitudinal data system specialist, attended the meeting to provide information and ask for input from the committee. The SD DOE is required to submit data through the Civil Rights Data Collection process on school quality, climate, and safety (including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism, and incidences of violence, including bullying and harassment).

Civil Rights reporting requirements define a chronically absent student as a student who is absent 15 or more school days during the school year. A student is absent if he or she is not physically on school grounds and is not participating in instruction or instruction-related activities at an approved off-grounds location for at least half the school day. Each day that a student is absent for 50 percent or more of the school day should be counted as an absence. Any day that a student is absent for less than 50 percent of the school day should not be counted as attending. The number of absences is based on the total number of school days absent. Chronically absent students include students who are absent for any reason (e.g., illness, suspension, the need to care for a family member), regardless of whether absences are excused or unexcused.

The current report card uses 94% to measure chronic absenteeism. However, the Accountability Workgroup may not include attendance in the SPI. If attendance is **NOT** in the SPI, South Dakota has two options.

1. Continue to report on the public report card chronic absenteeism based on 94% attendance rate. We would also have to report on the public report card the ESSA Reporting definition (15 days).

Pros - Department can continue to look at 94% chronic absenteeism to spot trends. - The LEAs/Public are familiar to 94%

Cons - Would have to communicate the differences between both definitions to LEAs/Public. - Having two different chronic absenteeism calculations on the report card may be confusing. - Will have increased cost to do the 15 days in addition to 94%

2. Stop reporting chronic absenteeism based on 94% attendance and only use ESSA Reporting definition (15 days).

Pros - Having one chronic absenteeism calculation would simplify the accountability report card – both for the programmers and for the public. -There is likely cost savings when just one calculation is done (15 days) instead of two (94% and 15 days)

Cons -DOE has been using 94%, so we would have to change. - If there is a big shift to the positive/negative, we would have to explain that to stakeholders

Clarifying questions were asked about the definition.

The committee had a working lunch.

ESSA Changes to Various Titles of ESEA

Malone began a conversation about the changes in Title I and other Titles. This school year, all districts were asked to upload all of their Title documents to the SD DOE SharePoint website. Rather than monitor all of the districts on the posted monitoring list for school year, the districts were asked to attend a day-long technical assistance workshop in Pierre. The workshops were conducted on four different dates over the fall. Districts that attended the workshop and uploaded all of their documents would not have an on-site visit unless other technical assistance issues warranted.

- LEA Plan and Schoolwide Plans - The committee discussed whether it was better to have the schoolwide plans as a) an upload to the grants management system, b) a series of questions on the grants management system, or c) as a stand-alone document. The schoolwide plans must be shared with parents and opinions were voiced that this is difficult to share the plans when placed on the grants management system. Plans must be reviewed periodically according to the statute with periodically generally interpreted as once a year. No strong opinion was voiced on what the definition of periodically should mean going forward.
- Foster Care – foster care children will no longer be addressed under homeless. Children in foster care will be a separate subgroup under assessment/accountability and will be afforded the same rights as homeless children. Each school district was asked to designate a point of contact to ensure that the students are enrolled, granted school of origin, transportation, Title I services, educational placement, and free food service. This portion of the law went into effect on December 10, 2016. Jenifer Palmer was designated at the SD DOE point of contact.
- Schoolwide – In the past, a school would have to reach the 40% free and reduced lunch threshold to begin planning for schoolwide reform. Under ESSA, the states are allowed to ask for waivers to grant schools the status. We are unclear how this will be implemented; perhaps SD DOE could ask for a state level “blanket” waiver to grant any school meeting SD DOE guidelines as a schoolwide program. We will wait for issuance of guidance.
- Targeted Assistance Schools – New wording can be found in this section referring to “well-rounded education” along with education based on challenging state academic standards. The statute also refers to using methods and instructional strategies to strengthen the academic program through various means including a tiered model to prevent and address behavior problems and to provide for early intervention services coordinated with IDEA.
- Family Engagement – ESSA clearly refers to parent and family engagement and includes strong ties to development of the district plan and the schoolwide/targeted plans. The plans must include goals and strategies for increasing engagement. As in the past, districts with an allocation of \$500,000 must set aside one percent for family engagement. Under the ESSA statute 90% of the set aside must be distributed to the schools. Under NCLB, 95% was distributed to the schools.

- Title I Part D – Delinquent, Neglected, and At-Risk – the major change to this section of the law is emphasis on ensuring that BIE/tribal operated schools can and will use these funds. We are unclear whether this will have an impact in our state and await further guidance. Also, in ESSA there is a clarification on the use of funds for students at-risk of dropping out of school. The law states that the use of funds for at-risk students shall not have a negative impact on meeting the transitional and academic needs of the students returning from correctional facilities. This has been US ED guidance now placed into the law. Districts tend to want to use the funds for their drop-out programs and quickly the funds have no connection to the students they were meant to serve.
- Title II – Preparing, Training, and Recruiting High-Quality Teachers, Principals, or Other School Leaders – The purposes of the funds are to 1) increase student achievement consistent with the challenging State academic standards; 2) improve the quality and effectiveness of teachers, principals, and other school leaders; 3) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and provide low-income and minority students greater access to effective teachers, principals, and other school leaders. The districts primarily use Title II funds for professional development and class-size reduction. Section 2103 of the statute states that funds may be used for reducing class size to a level that is evidence-based, to the extent the State (in consultation with districts in the State) determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring of additional effective teachers. Previously, the definition was researched-based rather than evidence-based.
- English Learners – ESSA has removed the term “limited” because of the connotation of limited and uses the term English Learners. The English Language Proficiency Standards under Title I require uniform entrance and exit standards. Our state already has this in place and the standards already are aligned with the content standards. SD DOE chose one of two options for testing of students. Students who have been enrolled in a school in one of the 50 states or the District of Columbia for less than 12 months will be considered first year in the U.S and exempt from one administration of reading language arts assessment and other assessment results are excluded from accountability calculations. ESSA requires three activities: Programs to increase English proficiency and academic achievement; professional development; and activities that include parent, family, and community engagement and coordination and alignment with related programs. New allowable activities under Title III include:
 - Providing tutorials for academic or career/tech education
 - Intensified instruction, possibly including materials in a language ELs can understand, interpreters and translators;
 - Implementing, pre-school, elementary, and high school language programs;
 - Offering early college/high school dual enrollment programs/courses to help ELs succeed in postsecondary school.
- Title IV, Part A – Student Support and Academic Enrichment Grants - This is a new block grant to the state combining the funds of several Titles. At least 95% of the funds will go to the districts based on a Title I Part A formula, but no less than \$10,000. Districts may form consortiums. The districts must use the funds – at least 20% on “well rounded educational opportunities”, 20% on safe and healthy student activities, and some portion to support effective use of technology (no more than 15% on technology infrastructure). More information will be available in the future on how to apply, requirements, use of funds, developing a needs assessment, and evaluation.

- Title IV Part B – 21st Century Community Learning Centers – grants to operate after-school programs and summer programs continues with a few changes including additions to the activities such as academic enrichment, service learning, physical learning, financial learning, internships, and family activities for meaningful engagement. Currently, Title I schoolwide schools reaching 40% poverty have been eligible. Under ESSA, additional schools have been added “and other schools determined by the district to be in need of support”. The SD DOE will wait for guidance or create guidelines in how to determine eligibility. Also, the statute requires that each state create a list of pre-screened external programs that are eligible to provide support and eligible to receive grants. The department will be considering this in the future.
- Private Schools- ESSA requires each state department of education to appoint an ombudsman to oversee any issues involving Title funds used for services to qualifying students at accredited private schools or equitable share of other Title funds to the same schools. Equitable share of funds must be determined at the district level, not the school level with the SEA providing notification to the private schools of their funds. This will most likely be posted on the SD DOE website as all funds are posted in the spring. As required in the past, districts and schools must sign off on documents that consultation has occurred. Should a disagreement not be resolved, it may be sent in writing to SD DOE. Guidelines will be developed. Jordan Dueis has been designated as the ombudsman for the SD DOE.
- McKinney-Vento Education of Homeless Children and Youth Act – This act was reauthorized as Title IX Part A of ESSA and went into effect on October 1, 2016. Areas pertaining to transportation and equitable services have now been more defined in the statute for clarity. Title I set aside for students experiencing homelessness that had been defined in letter and statement from the US Office of Management and Budget has now been moved to the statute. Many of these fiscal changes we are currently aware of have already been incorporated in our grants management system in the past two years.

Next Meeting

A date was not set for the next meeting. The committee will need to meet some time in February or March to review more information on the ESSA SD State Plan.

Adjournment

Motion by Willemsen, second by Pribyl to adjourn the meeting at 2:10 p.m. Motion passed.